

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

STUART ZISMAN

PLAINTIFF

V.

CIVIL ACTION NO. 3:04-cv-176WS

DR. RONALD MASON, JR, PRESIDENT
OF JACKSON STATE UNIVERSITY;
ET AL.

DEFENDANTS

ORDER

Before this court are defendants' motions for summary judgment on plaintiff's whistleblower act claim [docket # 64] and breach of contract and First Amendment [docket # 72] claims; motions by plaintiff [docket # 99] and by defendants [docket # 100] for leave to file exhibits; defendants' motion to strike portions of affidavits [docket # 86]; and, a motion to continue the January 25, 2006, hearing [docket # 96]. The Court heard oral argument on defendants' summary judgment motions on February 07, 2006, and again on March 06, 2006, at which time the parties were permitted to present the exhibits in questions. The motions to file exhibits [99, 100] are therefore GRANTED. Defendants' motion to strike [docket # 86] is DENIED and the motion to continue [docket # 96] is DENIED as MOOT. Defendants' motion for summary judgment on the Whistleblower Act claim [64] is GRANTED. A ruling on the remaining breach of contract and First Amendment claims [72] will be forthcoming.

SO ORDERED AND ADJUDGED, this the 30th day of September, 2006.

s/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

Civil Action No. 3:04cv176WS
Order